

Permitting & Assistance Branch Staff Report

Revised Solid Waste Facilities Permit for

Escondido Resource Recovery

SWIS No. 37-AA-0906

June 6, 2017

Background Information, Analysis, and Findings:

This report was developed in response to the County of San Diego Department of Environmental Health Local Enforcement Agency's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed revised Solid Waste Facilities Permit (SWFP) for Escondido Resource Recovery (ERR), SWIS No. 37-AA-0906, located in Escondido and owned by Jemco Equipment Corp. and operated by SANCO Services. A copy of the proposed permit is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was initially received on April 11, 2017. An updated proposed permit was received on April 14, 2017, April 28, 2017, May 3, 2017, and May 31, 2017. Action must be taken on this permit no later than July 30, 2017. If no action is taken by July 30, 2017, the Department will be deemed to have concurred with the issuance of the proposed revised SWFP.

Proposed Changes:

The following changes to the first page of the permit are being proposed:

	Current SWFP (2013)	Proposed SWFP
Operator Name	Escondido Resource Recovery	SANCO Services
Tons Per Day (TPD)	2,500 TPD	3,223 TPD
Total Permitted Area	5.97 acres	11.1 acres
Design Capacity	5,249 Tons/Day	8,743 Tons/Day
Permitted Operations	Transfer/Processing Facility	Transfer/Processing Facility Anaerobic Digester* (*see condition 16 i))

Other changes include edits to the following sections of the SWFP: "Prohibitions," documents that describe and/or restrict the operation of the facility, and "LEA Conditions" including the rewording, additions and deletions for the purpose of updating and/or clarifying.

Key Issues:

The proposed permit will allow for the following:

1. Change operator name from Escondido Resource Recovery to SANCO Services;
2. Combine Escondido Resource Recovery (37-AA-0906) and SANCO Recycling (37-AA-0965) into one full SWFP;

3. Expand the facility design capacity from 5,249 tons per day to 8,743 tons per day;
4. Increase the permitted daily tonnage from 2,500 tons per day to 3,223 tons per day (which is the existing ERR (2,500 TPD) and SANCO (723 TPD) combined permitted tonnage;
5. Identify the Anaerobic Digester (AD) as a future operation to the first page of the SWFP (a modification or revision to the SWFP will be required prior to the AD implementation and use per LEA Condition 16 i);
6. Expand the current permitted boundary from 5.97 acres to 11.1 acres, including expansion of the existing facilities at 1044 W. Washington Avenue, (Assessor's Parcel Numbers (APN's) 228-250-16, 17, 77) into the new parcel that is being added as part of the permitted boundary located at 1021 W. Mission Avenue (APN 228-250-78);
7. Incorporate the existing SANCO Recycling operations and include the self-haul construction and inert debris and mixed waste processing activities;
8. Renovate a warehouse into bale storage, demolish a warehouse and rebuild a single stream material recovery facility (MRF)/self-haul/construction and demolition (C&D) area, construct a new maintenance canopy, and revise internal traffic flow;
9. Renovate the existing transfer station and the existing MRF;
10. Add a new visitor entry;
11. Update the Transfer Processing Report; and
12. Update/revise the SWFP LEA findings and conditions.

Background:

The ERR was originally built in phases beginning in December 1994 and issued a new SWFP in September 1995 as a large volume transfer station. In 2002, the relocation of the fleet maintenance facility, vehicle wash, above ground fuel tank and dispensers allowed for construction of the Permanent Household Hazardous Waste Collection Facility (PHHWCF), construction of the extension to the existing transfer station/MRF building to accommodate the SANCO processing facility. In June 2008, the SANCO facility was issued a temporary SWFP and in June 2010 a new full SWFP was issued for a large volume transfer station. The two separately permitted facilities are located adjacent to each other at 1044 West Washington Avenue. In 2015, the facility began a multi-year phased construction of the Master Facility Plan (MFP) to combine the two facilities. The MFP involves the following phases:

- Phase 1 – Renovate a warehouse into bale storage, demolish a warehouse and rebuild a single stream MRF/self-haul/construction and demolition (C&D) area (a new 74,000 square foot commingled recycling facility), construct a new maintenance canopy, and revise internal traffic flow.
- Phase 2 – Renovate the existing SANCO commingled recycling facility into a mixed solid waste processing facility. **(NOT INCLUDED IN THIS PROPOSED REVISION)**
- Phase 3 – Renovate existing offices.
- Phase 4 – Remove existing offices and construct an Anaerobic Digestion (AD) facility. **(NOT INCLUDED IN THIS PROPOSED REVISION)**

Phase 1 and Phase 3 have secured approved building permits and are currently under construction, including the on-site improvements that allow the connectivity to all the existing parcels and the addition of the Mission Avenue parcel. This includes a drive lane, addition of scales, storm water engineering controls, landscaping, employee parking, curbing and aesthetic features. Phases 1 and 3 are currently anticipated to be completed on or about July 1, 2017.

Phase 2 is internal work inside an existing structure, at that point additional information will be provided for a separate permit action, with focus on the processing equipment, including conveyance from other buildings. Phase 4 involves the removal of an existing office structure and installation of an AD facility, so additional information will be required on the process, operation and integration to the balance of the facility and will require a permit action in the future. The planned AD facility is not included as part of this permit revision.

After completion of Phases 1 and 3, this will allow the recycling and self-haul operations to move from their previous locations into the commingled recycling and allow the re-configuration of the existing processing equipment to better serve the mixed waste/CDI streams. As this renovation is inside the existing building, these construction efforts simply require blocking off access to the building with safety barriers to allow work to proceed inside the building.

The proposed Phases are anticipated to require construction activities through 2020.

Findings:

Staff recommends concurrence in the issuance of the proposed revised SWFP. All of the submittals and findings required by Title 27 of the California Code of Regulations (27 CCR), Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated April 11, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report was prepared by the LEA on December 10, 2012. The LEA provided a copy to the Department on December 10, 2012.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on May 31, 2017.	<input checked="" type="checkbox"/> Acceptable

27 CCR Sections	Findings	
		<input type="checkbox"/> Unacceptable
21685(b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on April 11, 2017, provided a finding that the facility is consistent with PRC 50001. However, Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Compliance Unit found the facility was not adequately identified in the Nondisposal Facility Element (NDFE) since the proposed expansion is on a separate lot and possesses its own APN, so an amendment to the NDFE was filed on May 26, 2017. WEEB staff have since found that the facility is adequately identified in the NDFE as described in their memorandum dated May 30, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on March 24, 2017. See Compliance History below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on April 11, 2017, that the proposed permit is consistent with and supported by the existing CEQA documentation. See Environmental Analysis below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Notice was posted by the LEA on March 8, 2017. No written comments were received by LEA or Department staff. See Public Comments section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed revised SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance History:

WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on March 24, 2017 and found that the facility is in compliance with applicable state minimum standards.

Below are the details of the facility's compliance history based on the LEA's monthly inspection reports during the last five years:

- May 2017 – May 2012 – No violations were noted (Escondido Resource Recovery).
- May 2017 – May 2012 – No violations were noted (SANCO Recycling).

Environmental Analysis:

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the City of Escondido, acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts, and mitigation measures imposed on it.

The proposed project includes a Conditional Use Permit (CUP) amendment for the master planned expansion of the facility into the adjacent Mission Avenue parcel to the north and a reconfiguration of uses for more efficient operations. The overall throughput capacity of the facility would not change.

The project would include renovation of several structures, as well as demolition and new construction. These improvements would be completed in phases, as follows:

- Phase 1- renovate a warehouse into bale storage, demolish a warehouse and rebuild a single stream MRF/self-haul/construction and demolition (C&D) area (a new 74,000 square foot commingled recycling facility), construct a new maintenance canopy, and revise internal traffic flow.
- Phase 2 – renovate the existing transfer station into a mixed solid waste processing facility, renovate the existing MRF, add a new visitor entry.
- Phase 3 – renovate existing offices.
- Phase 4 – demolish the Washington Avenue office and storage, and construct an Anaerobic Digester (AD). The AD would generate natural gas that would be utilized to convert the EDI fleet from diesel to compressed natural gas (CNG)-fueled vehicles.

The changes that will be authorized by the issuance of the proposed permit are Phases 1 and 3 as described above, including:

- Expand the facility design capacity from 5,249 tons per day to 8,743 tons per day;
- Increase the permitted daily tonnage from 2,500 tons per day to 3,223 tons per day (combination of the existing ERR 2,500 tpd + SANCO 723 tpd); and
- Expand the current perimeter boundary from 5.97 acres to 11.1 acres.

All four phases of the planned project are supported by the existing environmental documents. These changes are supported by the following environmental document.

A Mitigated Negative Declaration (MND), State Clearinghouse (SCH) No. 2015061066, was circulated for a 30-day comment period from June 23, 2015 to July 22, 2015. The project analysis concluded that any physical environmental impacts caused by the project could be mitigated to less than significant levels with the implementation of the mitigation measures included in the Mitigation Monitoring Program. The MND, together with the Mitigation Monitoring Program, was approved by the Lead Agency on August 25, 2015. A Notice of Determination was filed with the SCH on August 31, 2015.

The County of San Diego Department of Environmental Health (LEA), has provided a finding that the proposed revised SWFP is consistent with and supported by the cited environmental document.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the MND as prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed revised SWFP. Department staff has reviewed and considered the CEQA record and recommends the MND is adequate for the Branch Chief's approval of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed revised SWFP and all of its components and supporting documentation, this staff report, the MND adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed revised SWFP. The custodian of the Department's administrative record is Ryan Egli, Legal Office, Department of Resources Recycling and Recovery, P. O. Box 4025, Sacramento, CA 95812-4025.

Public Comments:

The project document availability, hearings, and associated meetings were noticed consistent with the SWFP requirements. The LEA posted a Public Notice on March 8, 2017, in the County of San Diego. No comments were received by the LEA or Department staff.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on April 18, 2017 and May 16, 2017. No comments have been received by Department staff.